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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/825,431

04/03/2001

Stuart D. Baker

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2071

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EXAMINER

DESAI, RACHNA SINGH

ART UNIT

PAPER NUMBER

2176

MAIL DATE

DELIVERY MODE

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* STUART D. BAKER  
and PHILIP C. STRASSBURGER

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Appeal 2010-011630  
Application 09/825,431  
Technology Center 2100

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Before DALE M. SHAW, *Division 2 Support Administrator..*

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 7, 2010. A Docketing Notice was mailed on September 8, 2010. Upon review of the application, it has been determined that a remand to the Examiner is necessary to consider the following issues and to take necessary corrective action.

**REPLY BRIEF NOT CONSIDERED**

A Reply Brief was filed in this application on August 31, 2010. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 C.F.R. § 41.43(a)(1) and MPEP § 1208, part II.

Accordingly, it is ordered that the application is remanded to the Examiner:

- 1) to consider the Reply Brief filed August 31, 2010 as indicated above;
- 2) for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

KIS

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